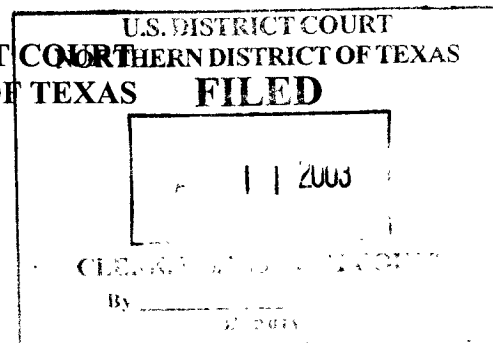


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



EF PRODUCTS, INC.

Plaintiff,

v.

INTERDYNAMICS, INC.

Defendant.

Case No.: 3-03CV1379-M

**MOTION OF DEFENDANT INTERDYNAMICS, INC. TO DISMISS
EF PRODUCTS INC.'S UNFAIR COMPETITION AND FRAUD CLAIMS**

Defendant Interdynamics, Inc. ("Interdynamics") respectfully moves this Court to dismiss Counts I and III of EF Products, Inc.'s First Amended Complaint on the grounds that: (i) Count I fails to state a claim for unfair competition under Texas law; (ii) Count III fails to state a claim for fraud under Texas law; and (iii) Count III fails to meet the requirements of Fed. R. Civ. P. 9(b) for pleading fraud with particularity. In support of this Motion, Interdynamics submits the accompanying Memorandum Of Defendant Interdynamics, Inc. In Support Of Its Motion To Dismiss EF Products Inc.'s Unfair Competition And Fraud Claims which sets forth the detailed bases for this motion.

Date: August 11, 2003

Respectfully submitted,

WINSTEAD SECHREST & MINICK, P.C.

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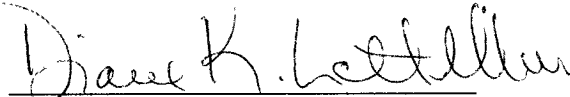
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Attorneys for Defendant

Interdynamics, Inc.


CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing MOTION OF DEFENDANT INTERDYNAMICS, INC. TO DISMISS EF PRODUCTS INC.'S UNFAIR COMPETITION AND FRAUD CLAIMS was served by First Class Mail on the following:

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this 11th day of August, 2003


Diane K. Lettelleir